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UNITED STATES OF AMERICA.



NO COMPROMISE WITH TREASON.

REMARKS OF MR. SCHENCK, OF OHIO,

IN
REPLY TO MR. FERNANDO WOOD, OF NEW YORK,
IN THE DEBATE ON THE RESOLUTION
TO EXPEL MR. LONG.



DELIVERED IN THE HOUSE OF REPRESENTATIVES, APRIL 11, 1864.

MR. SPEAKER: A student in natural history would have much to learn upon this floor. Some specimens of the snake family are so slippery that it seems impossible to classify them or to hold them to any place.

I find myself at a great loss to understand what ground is occupied by the gentleman from New York, (Mr. FERNANDO WOOD,) who has just taken his seat. He avows that he disagrees to the position taken by the member from Maryland, (Mr. HARRIS,) who was yesterday visited with the censure of the House; he dissents from the arguments and propositions of my colleague, (Mr. LONG,) whose case we are now considering; and yet he says to his fellow-copperheads, those, if any there be, who crawl with him, that there is no such thing as a War Democrat, for a creature of that kind is anomalous. [Laughter.] I may be pardoned, therefore, if I have difficulty in comprehending his own nature or knowing exactly where in the scale to place him.

But at the close of his remarks the gentleman from New York seemed in some small degree to develop his peculiar views and purposes. He laid down something like the same platform in resolutions which he early in the session offered in this House. Being neither against the war nor for the war, he would send commissioners to Richmond to treat with those arrayed in arms against the country, to offer them terms of peace. He preaches a "new gospel of peace," of which he is the great apostle.

How many others on his side of the House may agree with him I know not. But I do know this: whenever any such

propositions of Northern Democrats have appeared in public print, or their offers or suggestions of peace have been made in form, they have invariably been received by the rebels at Richmond with scoffing and repelled with scorn. Their rebel friends have not hesitated to declare that such advances, and the emissaries who might convey them, could only be entertained by them with fingers holding their offended aristocratic noses. [Laughter.] That only is the way in which they will receive Democrats who come to offer them peace. You must not "come between the wind and their nobility."

The gentleman and his friends, then, are willing and propose to crawl on their bellies to the feet of rebels, and insurgents in arms, and, looking up piteously, to say: "Oh, our masters, notwithstanding all your scoffing and scorn, and though you may spurn us from your presence, we implore you to say whether you will not graciously agree to make some terms with us." I cannot comprehend this abasement.

Thank God, I belong to no such party as that. For the sake of manhood and humanity, I would trust there are few who do. I never will make peace with armed rebels. I am for concluding no treaties, holding no conferences with insurgent States claiming to an independent, separate nationality. [Suppressed applause.] I believe that the only safety for this country consists in fighting out this war to the end, and suppressing this rebellion; in taking care to put it down so effectually that its hydra head will never be raised in the land again. I think that that too may be assumed as the sentiment of this House, and its resolved purpose.

Let me refer to what was the action here on some propositions I had the honor myself to submit some time ago in a series of resolutions. In order to refresh the recollection of members on both sides of the House I beg to recur to the official record. I find by the Journal of the 29th of February last that I moved the adoption of three resolutions, of which the first was in these words:

Resolved. That the present war which this Government is carrying on against armed insurrectionists and others, banded together under the name of 'Southern Confederacy,' was brought on by a wicked and wholly unjustifiable rebellion, and those engaged in, or aiding, or encouraging that rebellion, are public enemies, and should be treated as such."

How was that resolution received? It passed without objection; not one dissenting voice; no opposition whatever; not even a call for the yeas and nays. By general consent the Representatives of the people of the United States accepted that as one plank in the platform upon which they, as a component part of the Government, were willing to stand in their efforts to put down this wicked and infamous rebellion.

The next resolution is in these terms:

"Resolved, That this rebellion shall be effectually put down; and that to prevent the recurrence of such rebellion in future the causes which led to this one must be permanently removed."

Some gentleman upon the other side of the House called for a division of the question, and asked that a vote might first be taken upon the proposition "that this rebellion shall be effectually put down." Upon that one hundred and twenty-five gentlemen voted in the affirmative, and not one in the negative. It passed unanimously.

And here, in passing, I may remark that among that one hundred and twenty-five was my colleague, (Mr. LONG,) whose case is now under consideration. He then voted his opinion as a member of the House of Representatives that this rebellion ought to be effectually put down. It is for him and for the country to reconcile, if it be possible, that declaration, then solemnly made by his recorded vote, with his belief now announced that the rebellion cannot be put down, and that there remains nothing for us but to recognize that insurrectionary pretended government, and to accept it as one of the nationalities of the world.

The remaining clause of that second resolution was likewise carried by the unanimous consent of the House. Gentlemen upon the other side affected to believe that "the causes of the rebellion" were not what I plainly intended—slavery and the slave power, and the slave influence in this country; and so we united, they construing the language of the resolution in one way, and I and all the Union members here in another. By that motion, then, perhaps nothing was taken. Under such a subterfuge gentlemen escaped the issue I presented.

But there remained another resolution, the third and last of the series:

"Resolved, That in this struggle which is going on for the saving of our country and free government, there is no middle ground on which any good citizen or true patriot can stand; neutrality, or indifference, or anything short of a hearty support of the Government, being a crime, where the question is between loyalty and treason."

That resolution also passed this House by a unanimous vote. The gentleman from New York, (Mr. FERNANDO WOOD,) was not present; and some who were present did not vote; but one hundred and nine, being all that did vote upon the question, recorded their names in the affirmative. Again there was not one negative. My colleague, whose case we have now before us, was here. He had voted on the previous resolution but declined to answer upon this. With some fifteen other gentlemen upon that side of the House he preferred to dodge

the issue, and they avoided being brought to a test whether they believed in such middle ground or not.

Upon this middle ground, upon which it was agreed no patriot or true man can stand, the gentleman from New York, (Mr. FERNANDO WOOD,) selects his uncertain footing. It is the dark, oozy, unwholesome soil, between the solid earth on either side, over which unclassified copperheads do creep and mark their slimy and doubtful track.

But what assurance have we that the member from New York is going to occupy hereafter and consistently even the ground he has assumed to-day? He says he is no disunionist. He declares against the war; he is for compromise; for negotiation with rebels; for peace to be acquired in that way. Yet like my colleague, (Mr. LONG,) he would not think of giving up the integrity of the Union. But what are his antecedents? Where stood he at the beginning and after the beginning of this great struggle for the life of the nation?

I will turn aside here for a moment to consider, as one of the remarkable passages in the speech of my colleague, (Mr. LONG,) the account he has sought to impose upon the country of the commencement of the war; and then I will see if we can find what position was in that earlier day taken by the gentleman from New York.

My colleague, (Mr. LONG,) in the speech for the utterance of which he is now held to account before the House, has said that hostilities against the Government of the United States did not commence until after the inauguration of President Lincoln. He declares that those hostilities were brought on by the desire of the President of the United States; and, the country being drawn into it by a trick, the war proceeded and from that point has been progressing. That I may not be supposed to misrepresent his language I will read from the report of his speech as I have it now before me.

"A secret meeting of the Governors of a number of States was soon after held in this city. A scheme was devised and a vessel sent out, under pretense of furnishing provisions to the troops with Major Anderson in Fort Sumter. On arriving in Charleston harbor the people of that city fired upon the fort. The telegraph bore the news to this city, and on its first mention to the President he exclaimed, '*I knew they would do it*;' which to my mind is conclusive that it was intended expressly for that purpose. Seventy-five thousand men were immediately called for; war was inaugurated; twenty days were given the insurgents to lay down their arms; an additional five hundred thousand men were soon called for; hostilities commenced."

That, Mr. Speaker, professes to be history; and yet a more gross, more unwarrantable, bolder perversion and misrepresentation of facts was never perhaps presented to the public ear. Hostilities commenced? When? After Mr. Lincoln was inaugurated, he says, and not until then; after relief had been sent to the garrison at Fort Sumter; after relief had

been sent there for the very purpose of provoking hostilities, after troops had been called out time and again to put down the insurgents. Now, is it not well known that before Mr. Lincoln, by inauguration, became the President of the United States, as early as in the December previous, our own western steamboats were attacked and our travel and commerce stopped and interrupted by batteries planted for that purpose on the banks of the Mississippi river by order of the rebel Governor of one of the rebel States? Is it not known to all that in January, 1861, an ocean steamer, the *Star of the West*, bearing our flag, was fired upon as she entered the harbor of Charleston and compelled to turn and put to sea, as from a hostile port? And yet, my colleague here, in the face of these and other notorious facts, as I have heard others equally reckless elsewhere, dares, for the sake of putting his own Government in the wrong, to aver that not the traitor rebels but our own authorities inaugurated civil war; fixing its commencement months after these events had transpired.

But to return. I said I would refer to this with a view to the former position of the gentleman from New York, (Mr. FERNANDO WOOD.) Whenever and however hostilities commenced, where then was he, and what was his relation to the great rebellious movement by which was sought to be destroyed the integrity and unity of his country?

When our difficulties with the South were ripening into war, when hostilities were actually commenced, when it was not known how far disaffection might extend throughout the several States of this Union, there was a mayor of New York who proposed that that city should secede from the Government of the United States, and set up for itself as a "Free City," on the pattern of independent political communities of that sort known on the European continent.

Mr. FERNANDO WOOD. Mr. Speaker—

The SPEAKER *pro tempore*. Does the gentleman from Ohio yield to the gentleman from New York?

Mr. SCHENCK. I cannot be interrupted, sir, but will continue as the gentleman insisted on doing when others sought to interrupt him.

Not that alone, sir; the same mayor of New York, after rebellion was already rampant, when boxes filled with arms were stopped by the loyal authorities on the wharves of New York, and not permitted to go South, that weapons might be put into the hands of those infernal scoundrels who were seeking to overthrow the Government and the country—that same mayor, on being telegraphed to, replied that he regretted he had no power over the matter, or he would gladly prevent any interference with such transmission of these munitions of war.

Mr. FERNANDO WOOD. Mr. Speaker—

Mr. SCHENCK. Yes, I know that that has been denied here, a short time ago, by that gentleman on this floor, and without hearing him now, I give him the benefit of that denial. But he shall also have the benefit of the positive proof, produced and published widely in the papers of New York a few days afterwards, nailing upon him the falsity of the denial which he presented to this House.

Mr. FERNANDO WOOD. Mr. Speaker—

Mr. SCHENCK. I am not to be interrupted by that member.

Mr. FERNANDO WOOD. The gentleman states what is false.

Mr. SCHENCK. I have met rebels before, when they had something more than tongues with which to contend, and I am not to be interrupted or put down by the member from New York. As that gentleman has entertained the House by the reading of some precious extracts, I propose also to send something to the Clerk's desk to be read. It is an extract from a paper recently published in his own city.

The CLERK read, as follows:

"Mr. FERNANDO WOOD has the effrontery to deny, in the House, that while mayor of New York he sent a despatch to Georgia regretting that arms intended for that State had been stopped in New York. He averred that his dispatch related to merchandise only. Here are the dispatches:

"MILLEDGEVILLE, *January 24, 1861.*

"To his Honor Mayor Wood:

"Is it true that any arms intended for and consigned to the State of Georgia have been seized by public authorities in New York? Your answer is important to us and to New York. Answer at once.

R. TOOMBS.

"To this the mayor returned the following answer:

"Hon. ROBERT TOOMBS, Milledgeville, Georgia:

"In reply to your dispatch I regret to say that arms intended for and consigned to the State of Georgia have been seized by the police of this State, but that the city of New York should in no way be made responsible for the outrage.

"As mayor, I have no authority over the police. If I had the power I should summarily punish the authors of this illegal and unjustifiable seizure of private property.

FERNANDO WOOD.

Now, what excuse will Mr. Wood have to offer the House?—

Mr. SCHENCK. That will do. I will ask the question myself; ask it, too, under the light of the further fact that six days before that attempt to give comfort to rebels in arms, Georgia had solemnly declared her secession from the Union, and set herself up by that solemn act in open rebellion.

It was an "outrage" not to send arms; and he is no war Democrat! Sir, he *is* a war Democrat, but what kind of a war Democrat? His "war Democracy" consists in an indorsement of a war by his fellow-rioters, led forward under the

influence of his teachings in New York, who foully and cruelly murdered, among others, even one of the officers of your noble army, while wearing the national uniform!

Oh, no; probably he slunk away in the midst of that riot. Probably he was not seen in the street. Probably he held no weapon in his hand and applied no torch to any dwelling. But who does not know that it was the uniform teachings of him and his school that roused that angry, that unreflecting, that ignorant populace into deeds of violence, of ruin, of rapine, of murder, in which it indulged?

And now he stands here talking smoothly about peace, and about being no war Democrat!

But, sir, I have another reminiscence for him. There was a time when he was a war Democrat—aye, and a war Democrat of the true stripe, too—not a war against defenceless women and children in the streets of New York.

After he had proposed the secession of the city of New York, after he regretted that he could not help Georgia with arms, he became, on the 20th day of April, 1861, alarmed by the roused indignation and swelling voices of a then whole, united, loyal people, and met and addressed that people at their great meeting in Union square. And there he pledged himself to assembled thousands that he was for the war, and was for the Union. I apprehend he found it convenient to have it understood then that he was a war Democrat, just like those whom he now denounces around him.

Perhaps he will deny this too. Let him. Happening to be present in New York, and invited, I spoke on that occasion—you may call it honor or dishonor, as you will—from the same stand with him to those assembled thousands. I had no acquaintance with him, but I stood near him while he was thus delivering himself and making those loyal pledges and avowals.

I say, therefore, that I do not know what kind of a war Democrat he may be hereafter; whether he will be against his own people and the Government of the United States, as he is now; or against the insurgents, as he was then. His present profession is to be neither, but to crawl along on the border between the two and try neutrality, which has never yet been attempted by any State or people that it has not proved their curse and ruin. But, sir, he would propose terms of peace, and that peace he would offer to those who scorn him. He insists on seeking those who will extend to him no hand of welcome at his coming.

Sir, I must believe that he sings this siren song of peace only for the effect he hopes it may have at home. Party is with him before country. And thus he prostrates himself, as I have said, at the feet of insurgents in arms and cries implor-

ingly to them, "Do with us as you will, tear from the flag of our glorious Union half its gleaming stripes, blot out as many of those stars as you can reach and extinguish; only join us again that you may help us to restore the Democratic party, so that we may hereafter, as heretofore, enjoy power and the offices together. For these we will so humble ourselves as none of God's creatures ever humbled themselves before." [Laughter.]

Mr. Speaker, the member from New York has been occupying the time of the House with the reading of a great number of extracts to show the position of certain men prior to this war, or about the time of its commencement. Some of these extracts are attributed to abolitionists, some to men of other parties; but he strings them all together, seeking thereby, if he can, to fill his magazine with weapons of assault against the Government and against this side of the Chamber.

I did not listen to much that was read. I care little for it for the purposes of this argument. But I did observe, in the course of that reading, that when it happened in two or three instances that he gave what purported to be the sentiments or declarations of certain members of this body now here present, those extracts were promptly denounced as forgeries, indorsed though they were by the reputable member from New York. It is not unlikely that these spurious specimens indicate the character of the whole collection.

But, sir, I am not here to defend any man. I am not here to inquire whether this man or the other was an Abolitionist, a Democrat, a Whig, or a Republican; or what may have been their utterances, prudent or imprudent, wise or unwise, patriotic or unpatriotic, on any other or former occasion; whether they were right or wrong then. That has all gone by. Men might very widely differ and differently express themselves on the eve of such a convulsion. They might widely differ, too, as to what course was most expedient to be pursued in order to avert the great calamity of war from the land.

Three years have now gone by. We are in the midst of that war. Armies are confronting armies; bayonets are crossed with bayonets. The arguments now to be used and the only arguments to be used are the incisive, cutting reasonings of the sword, the sharp-pointed remark of the bayonet, the knock down conclusion of the bursting bombshell. It is in the midst of such fierce and practical debate as this that the gentleman from New York comes forward and proposes to yield to the arrogant and insolent demands of paricide rebels, bearing in his hands as precedents his collection of extracts, genuine or otherwise, culled from what may have been written in other times and under other circumstances. If he

made those quotations for any purpose at all it could only have been to show that others had stood upon his ground. But the difference of occasion is as wide as heaven from hell. Admit that those men were wrong, admit that they were all at fault in proposing, if they did do so, any such expedients. It only follows that they did not then as now understand the true character of our people, or the power of self-preservation which rests in our Government. What parrallel is there between such hesitation then, and the concessions which would be made by this man here now upon this floor, and almost in the very presence of the public enemy?

Mr. Speaker. I can understand how, in the Revolution, when these States, then colonies, broke away from the mother country, many a man who was attached to monarchical institutions, or fearful of rushing upon the untried experiment of a new form of government, to be reached through the horrors of war, might have shrunk back and been a Tory of that day.

But how, after the better part of a century has gone by, and this great Government, under the Constitution adopted at the close of that Revolution, has gone on prospering and to prosper, when it has made its mark high on the roll of nations, and the hopes of a world have clustered around it—how any one with this history and triumph before him can to-day doubt or distrust or bargain away his country's nationality, is more than I can comprehend. I declare, sir, that in my opinion the worst Tory of the Revolution was a patriot and a gentleman, compared with a copperhead of 1864. [Applause.]

Mr. Speaker, we are, as I have stated, in the presence of the enemy. Every man in this Union is to-day, in one sense, a citizen soldier. Our people are either in the lines of the Union army in front, facing and fighting the foe, or they are in the rear, striving by every means possible to strengthen and advance the common cause.

I repeat, every man is a citizen soldier; and we who are here no less so than others. Now, when a soldier is marching with the army toward the enemy, or holding his place in line of battle ready to meet the onset or to make the charge, if that soldier—and I beg pardon of our honest, brave fellows in the field for even making such a supposition—if that soldier, instead of attending to his stern and grim purpose, to the consideration how he shall best acquit himself in the deadly struggle before him, and to the duty which lies present there for him to do, should turn to his comrades about him, saying to one, "We cannot beat the enemy;" to another, "We had better lay down our arms;" to another, "Our cause is wrong; we never can conquer;" and to another, "Let us demand of our commanding officer to stop shedding blood, and have a truce between the two armies"—if a soldier at such a time

should talk thus in the ranks, what would you do with him? You would shoot him!

And is a citizen soldier who undertakes to breed distraction in the country, who claims that we cannot put down the rebellion, who insists that the rebellion, in his view, is altogether right and justifiable, who would compromise, who would temporize, who would have his Government debased to the condition of begging peace from armed and insolent insurgents—is he less deserving of execration and punishment? Though we may not execute such a man on the appropriate gallows erected for criminals, yet, thank God, there is a gibbet of public opinion where we can hang him high as Haman and hold him there, the scorn of all nations and of the world! [Applause.]

A few words now more directly to the resolution before the House. I wish I had as much strength—having just risen from a sick bed—as I have desire to go on a little further with this examination.

The resolution proposes the expulsion of a member of this House. It proposes expulsion for the use of language in debate upon this floor.

The first objection taken to this resolution is that its passage would be a dangerous interference with the liberty of speech. You must not abridge the freedom of debate in these Halls, devoted to the discussion of great interests upon the right adjustment of which the future prosperity of our country depends.

And, sir, there is something plausible in that objection. Freedom of speech in a free Government is indeed important; and the full privilege of fearless and unrestrained debate is nowhere more important than in these Halls of legislation, where we are meeting and settling the gravest and deepest questions. This principle was not overlooked, we are to believe, by the fathers who framed our national Constitution. Yet the gentleman from Kentucky, (Mr. MALLORY,) who quoted the Constitution yesterday on this point, most strangely omitted a material and significant portion of the clause which he cited. He rose in his place and called solemnly upon the country—called upon you and called upon this House—to witness that here was an attempt to muzzle a Representative of the people, and that, too, in violation of our organic law, which in very terms provides that “no member shall be questioned for any speech or debate in either House.” Surprised at such assertion, I took occasion then to remind him that that was by no means all the Constitution says upon that subject. In treating of the powers of Congress, it provides, among other things, that Senators and Representatives

"Shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned *in any other place.*"

Ah, sir, "*in any other place.*" While the framers of this sacred instrument were taking care jealously to protect and hedge around this freedom of debate, so that the Representatives of the people might be left to speak fearlessly and without favor here on all subjects, and free from any liability to be called to account for such speech elsewhere, they with equal wisdom took care to put in a condition that each House was expected to see to and preserve its own purity and character. The House was to take care that there should be nothing said or done here, here above all other places, which should be prejudicial to good order or inimical to the liberties of this country; nothing which might tend to give up or abandon or break down the very Government itself. I do not wonder that gentlemen engaged in the desperate cause of defending treasonable utterances on this floor should be unwilling to quote the whole language of the Constitution, but should garble, clip, travesty it, and keep out of view that which was put there by wise foresight to meet exactly such cases as this in hand.

But gentlemen make another defense. They say the words of my colleague were not treasonable utterances.

In one sense they are right. Treason is defined by law and by the Constitution. It consists not in language, but in certain overt acts, and it can be proved only by certain measure and degrees of testimony. But it does not necessarily follow that when you are arraigning a member for language improper to be used, or acts improper to be done, upon this floor, you must try him only as if by strict forms and rules of a law in a judicial court. I can conceive many instances in which offense might be given here, requiring the intervention of the House and calling for its severest punishment, where there has been nothing even savoring of treason. A member might make an indecent exposure of his person; he might use language so profane and obscene and offensive in character as to require that he should be instantly expelled, and no more and no longer be permitted to remain as one of our body, and yet not be guilty of treason or of any other crime defined by the statutes of the country.

I am not, therefore, in supporting this resolution, driven to the necessity of taking the ground that treason has been committed. And when I say that the language used was treasonable, I mean to be understood in this qualified sense, that while there may not have been a crime committed for which he might be held to account before the other tribunals of the

country, yet such words being uttered here and at this particular time, *flagrante bello*, with the rebel force at our very doors, they become in their tendency and effect encouragement to the rebellion and an instigation to the enemies of the nation to go on in their attempts to overthrow it.

Now, sir, I was not present when my colleague, (Mr. LONG,) delivered his speech. I was in my room, unable by reason of illness to be in my place. But I have a full, official, and authorized report of that speech; and to satisfy me that he deserves the heavy punishment proposed, I do not need to look any further than to passages in it which strike my eye now as I hold it here in my hand. I will read:

"Mr. Chairman, I have deemed it proper thus to advert to the charges of encouragement to the confederates so repeatedly made upon this floor, and I again recur to the consideration of the Union. Can the Union be restored by war? I answer most unhesitatingly and deliberately, No, never, '*war is final, eternal separation.*'"

Again, in speaking of the remarks of the gentleman from Pennsylvania, (Mr. STEVENS,) and in trying to ally those opinions to his—with what want of success the gentleman from Pennsylvania has most triumphantly shown—he says:

"The confederate States are out of the Union, occupying the position of an *independent Power de facto*, have been acknowledged as a belligerent both by foreign nations and our own Government, maintained their declaration of independence for three years by force of arms, and that the war has cut assunder all the ligaments and abrogated all the obligations that bound them under the Constitution."

Here, sir, I propose to make one single remark in reference to my own view of this subject—of the rights of these seceding States and of the people of those States. I belong to that class of theorists—for we all have theories on these subjects—who believe that the rebels by their insurrection and making war on their Government have forfeited, if we choose to enforce that forfeiture, all their *rights* as citizens of this country, and yet have not released themselves from a single one of their *obligations*. And I hold, therefore, that we must press them with fire and sword in order to bring them back again into subjection to the law of the land, and to their places as good and law-abiding citizens, as if they were foreigners; and at the same time we have the right, because they are not foreigners and have not rid themselves of their obligations under the Constitution, to treat them as traitors under the law. In other words—to use a homely figure—we pursue them with a double-barreled gun. We may shoot them as belligerents, or we may shoot them as traitors. They are subjects, on the one hand, for the sword, because they have themselves taken the sword and brought the curse thus upon themselves; and they are, on the other hand, the subjects also of hemp, to be

raised to the elevation which only properly belongs to such traitors.

But my colleague, (Mr. LONG,) in these remarkable utterances of his, says that these people are entirely free, and that the war has cut asunder all the ligaments and abrogated all the obligations which bound them under the Constitution. Mark that. Let us pause a moment more on that. They have cut themselves free from all ligaments, and all obligations are abrogated! Then there is no such thing as a traitor in this land. Then Jeff. Davis is an honest and patriotic citizen, entitled to the right hand of fellowship. He has freed himself from every obligation. He owes no duty to the law. He owes nothing to the Constitution. There is no possibility of pursuing him and bringing him to punishment without doing him a wrong. And this is the doctrine preached here in an American Congress! And we are expected not to say that the man who thus talks in his place here is unfit to hold a seat in this House!

A colleague of mine, (Mr. GARFIELD,) replying to that other colleague, (Mr. LONG,) spoke of him as a brave, bold man. I agree with him. He spoke of him, also, as an honest man. Well, he may be honest. That is between himself and his God. But I find it difficult to understand how a man, intelligent and able as this speech proves its author to be, can be so dangerously wrong, and yet with innocent purpose. This speech he himself admits was not made on the spur of the moment, but after long weeks of careful preparation, of pruning and filing; and it will not do to let him off on the supposition that it is a mere misapprehension or mistake on his part. I accept the issue which he presents. Either he is all wrong and bad on this subject, and is siding with the enemies of his country, or we are all wrong. The member from New York says we are the disunionists. If so, sir, we have a singular way of showing it. *We* the disunionists on this side of the House; we, who uphold the Government; we, who vote men, money, means, all the men, all the money, all the means, all the appliances for carrying on the war to crush this unholy rebellion; we the disunionists, and he, forsooth, the Simon Pure patriot of the land!

Well, there is a class of people in this country who have almost persuaded themselves, by frequent repetition, that they are in favor of the Union, while at the same time by their speeches, their votes, and their actions, they refuse to do anything to sustain it; men who even proclaim that they are in favor of a vigorous prosecution of the war, too, and yet vote against every practical measure for maintaining our armies in the field. And then these men turn upon us and say, "We are with you; we are in favor of putting down this re-

bellion; we believe that it can only be effectually crushed by the strong arm of power; but we do not like the way in which you are seeking to accomplish your just object. You suspend the *habeas corpus*, you indulge in arbitrary arrests, you suppress freedom of speech. When the robber is in your house, you will not sit down with us and count the cost, to see how much it will take to turn him out. When the murderer is in your home, with his knife at the throat of your wife and children, you do not ask him to wait, as you should, till you can run to the nearest justice of the peace, make an affidavit, and have him regularly arrested according to law. And therefore we cannot go with you in your measures."

There is one classical precedent for those who take these extraordinary positions which I beg to commend to gentlemen upon the other side; and I know there are a good many of them distinguished for their knowledge and familiarity with the English and other classics. If they will look into Gulliver's Travels, that admirable and popular satire of Dean Swift, and see what judgment was passed upon the great Man Mountain by his little Lilliputian friends upon the occasion of his extinguishing the flames which were destroying the queen's palace, they will comprehend the reasonableness of their objections. It was a good thing to stop the conflagration, but very bad to make the most effectual appliance for doing it. [Great laughter.]

So there are war Democrats who cry "Down with the rebellion," while they denounce every vigorous means for putting it down.

But I have been drawn away from asking your attention to further most objectionable portions of the speech on which my colleague is arraigned. I read again:

"As will be judged, perhaps, by the tenor of these remarks, I am reluctantly and despondingly forced to the conclusion that the Union is lost, never to be restored."

Again he says:

"What has been predicted by our wisest and most eminent statesmen has come to pass; in grasping at the shadow we have lost the substance; in striving to retain the casket of liberty in which our jewels were confined, we have lost those precious muniments of freedom. Our Government, as all know, is not anything resembling what it was three years ago; there is not one single vestige of the Constitution remaining; every clause and every letter of it has been violated, and I have no idea myself that it will ever again be respected."

And again:

"Mr. Chairman, I take little or no interest in the discussion of the question which many of my political friends would make an issue, as to how this war shall be prosecuted, its manner and objects. I regard that as worse than trifling with the great question. I do not believe there can be any prosecution of the war against a sovereign State under the Constitution, and I do not believe that a war so carried on can be prosecuted so as to render it proper, justifiable, or expedient."

Then, according to this, we are engaged in a war which is improper, unjustifiable, inexpedient; and which cannot be prosecuted without resulting in its consequences in the destruction of our Constitution and the overthrow of all free government in the land. Must these and other like expressions, pervading the whole of this elaborate argument in favor of secession and against preserving the integrity of our nation, go unrebuked? I trust not; and I shall greatly have mistaken the patriotism and dignity and sense of justice of this House if they do.

Sir, I desire to say in conclusion, in relation to this whole matter of the war and our country's trials, that I believe strong remedies for desperate diseases may properly be resorted to. I admit that constitutional power may sometimes have been strained, but I am of opinion that it has not been exceeded. And when gentlemen speak with such holy horror of the possibility of "overleaping the Constitution in order to save the country," I confess that I do not see anything so terrible in that figure. What is the Constitution? The form and framework of our system, under and through which the people may carry on their Government. It is, after all, the form only, and not the life itself. Mark this difference. The builders of this our framework have provided in itself the mode of its own amendment and renovation; but no such change was ever contemplated for the Nation. The Constitution may undergo alteration, but the Nation, for which it was made, must be one and eternal. To those, then, who talk idly of permitting this Nation to be destroyed rather than see any provision of the Constitution in the least exceeded, I say that under the pretense of saving the Constitution they are making war, or encouraging those who do make war, upon the Nation and People for whom that Constitution was created. But we who stand by the Government would tax all the powers of that Constitution to the utmost that the Nation itself may live.







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